# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

Nancy Goodman and Jacqueline Peiffer, :

: Case No. 2:14-CV-00414

Plaintiffs, :

**Judge Frost** 

v. :

Magistrate Judge King

J.P. Morgan Investment Management, Inc., JP Morgan Funds Management, Inc., and

JPMorgan Chase Bank, N.A.,

•

Defendants. :

Campbell Family Trust, Jack Hornstein,

Anne H. Bradley, Casey Leblanc,

Jacqueline Peiffer, Joseph Lipovich, and

Valderrama Family Trust

Case No. 2:15-CV-2923

**Judge Frost** 

Plaintiffs, : Magistrate Judge King

:

v. :

•

J.P. Morgan Investment Management, Inc., JP Morgan Funds Management, Inc., and

JPMorgan Chase Bank, N.A.

•

Defendants.

# JOINT MOTION FOR ENTRY OF AN ORDER APPLYING THE COURT'S FEBRUARY 26, 2016 OPINION AND ORDER IN *CAMPBELL*<u>TO THE PENDING CLAIMS IN *GOODMAN*</u>

Plaintiffs and Defendants jointly and respectfully move the Court for entry of an order applying the Court's February 26, 2016 Opinion and Order in the *Campbell* case (ECF No. 75 in Case No. 2:14-CV-00414) to the claims pending against Defendant JPMorgan Chase Bank, N.A. ("JPMCB") in the *Goodman* case. The grounds supporting this motion are set forth in the attached memorandum.

## Respectfully submitted,

#### /s/ Matthew R. Wilson

David P. Meyer (Ohio Bar #0065205) Matthew R. Wilson (Ohio Bar #0072925) Michael J. Boyle, Jr. (Ohio Bar #0091162) MEYER WILSON CO., LPA 1320 Dublin Road, Suite 100 Columbus, OH 43215 Tel: (614) 224-6000

Tel: (614) 224-6000 Fax: (614) 224-6066 dmeyer@meyerwilson.com mwilson@meyerwilson.com

mboyle@meyerwilson.com

Robin F. Zwerling (admitted pro hac vice)
Jeffrey C. Zwerling (admitted pro hac vice)
Susan Salvetti (admitted pro hac vice)
Andrew W. Robertson (admitted pro hac vice)
ZWERLING, SCHACHTER
& ZWERLING, LLP
41 Madison Avenue

New York, NY 10010 Tel: (212) 223-3900

Fax: (212) 271-6969 rzwerling@zsz.com

jzwerling@zsz.com ssalvetti@zsz.com arobertson@zsz.com

Stephen J. Oddo (admitted pro hac vice) Gregory Del Gaizo (admitted pro hac vice) ROBBINS ARROYO, LLP

600 B Street, Suite 1900 San Diego, CA 92101 Tel: (619) 525-3990 Fax: (619) 525-3991

Attorneys for Plaintiffs

#### /s/ Bradley T. Ferrell

Steven W. Tigges (Ohio Bar #0019288) Bradley T. Ferrell (Ohio Bar #00709650) ZEIGER, TIGGES & LITTLE LLP 41 South High Street, Suite 3500

Columbus, OH 43215 Tel: (614) 365-9900 Fax: (614) 365-7900 tigges@litohio.com ferrell@litohio.com

Mark Holland (admitted pro hac vice)
Valerie A. Haggans (admitted pro hac vice)
GOODWIN PROCTER LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018
Tel: (212) 813-8800
Fax: (212) 355-3333
mholland@goodwinprocter.com
vhaggans@goodwinprocter.com

Michael K. Isenman (admitted pro hac vice) GOODWIN PROCTER LLP 901 New York Ave NW Washington, DC 20001 Tel: (202) 346-4000 Fax: (202) 346-4444 misenman@goodwinprocter.com

Attorneys for Defendants

## **MEMORANDUM IN SUPPORT**

On February 26, 2016, the Court issued an Opinion and Order in *Campbell* granting JPMCB's motion to dismiss the claims against it. Although *Goodman* and *Campbell* involve different mutual funds and cover different periods, the claims asserted against JPMCB in *Goodman* are substantially similar to those in *Campbell*. Therefore, rather than have the parties brief and the Court resolve the same issues, the parties respectfully request that the Court enter an order applying its February 26, 2016 Opinion and Order in *Campbell* to the pending claims against JPMCB in *Goodman*. A proposed order is attached for the Court's consideration.

## /s/ Matthew R. Wilson

David P. Meyer (Ohio Bar #0065205) Matthew R. Wilson (Ohio Bar #0072925) Michael J. Boyle, Jr. (Ohio Bar #0091162) MEYER WILSON CO., LPA 1320 Dublin Road, Suite 100 Columbus, OH 43215

Tel: (614) 224-6000 Fax: (614) 224-6066 dmeyer@meyerwilson.com mwilson@meyerwilson.com mboyle@meyerwilson.com

Robin F. Zwerling (admitted pro hac vice)
Jeffrey C. Zwerling (admitted pro hac vice)
Susan Salvetti (admitted pro hac vice)
Andrew W. Robertson (admitted pro hac vice)
ZWERLING, SCHACHTER
& ZWERLING, LLP
41 Madison Avenue
New York, NY 10010
Tel: (212) 223-3900
Fax: (212) 271-6969
rzwerling@zsz.com
jzwerling@zsz.com
ssalvetti@zsz.com

Stephen J. Oddo (admitted pro hac vice) Gregory Del Gaizo (admitted pro hac vice) ROBBINS ARROYO, LLP 600 B Street, Suite 1900 San Diego, CA 92101 Tel: (619) 525-3990

Fax: (619) 525-3991

arobertson@zsz.com

Attorneys for Plaintiffs

250-061:590555v2

## Respectfully submitted,

#### /s/ Bradley T. Ferrell

Steven W. Tigges (Ohio Bar #0019288)
Bradley T. Ferrell (Ohio Bar #00709650)
ZEIGER, TIGGES & LITTLE LLP
41 South High Street, Suite 3500
Columbus, OH 43215

Tel: (614) 365-9900 Fax: (614) 365-7900 tigges@litohio.com ferrell@litohio.com

Mark Holland (admitted pro hac vice)
Valerie A. Haggans (admitted pro hac vice)
GOODWIN PROCTER LLP
The New York Times Building
620 Eighth Avenue
New York, NY 10018
Tel: (212) 813-8800
Fax: (212) 355-3333
mholland@goodwinprocter.com

vhaggans@goodwinprocter.com

Michael K. Isenman (admitted pro hac vice) GOODWIN PROCTER LLP 901 New York Ave NW Washington, DC 20001 Tel: (202) 346-4000 Fax: (202) 346-4444 misenman@goodwinprocter.com

Attorneys for Defendants

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

Nancy Goodman and Jacqueline Peiffer, :

: Case No. 2:14-CV-00414

Plaintiffs, :

**Judge Frost** 

v. :

Magistrate Judge King

J.P. Morgan Investment Management, Inc., JP Morgan Funds Management, Inc., and

JPMorgan Chase Bank, N.A.,

•

Defendants. :

Campbell Family Trust, Jack Hornstein,

Anne H. Bradley, Casey Leblanc,

Plaintiffs,

Jacqueline Peiffer, Joseph Lipovich, and

Valderrama Family Trust

Case No. 2:15-CV-2923

**Magistrate Judge King** 

**Judge Frost** 

:

:

:

v. :

•

J.P. Morgan Investment Management, Inc., JP Morgan Funds Management, Inc., and JPMorgan Chase Bank, N.A.

•

Defendants. :

## **ORDER**

Plaintiffs' amended complaint (ECF No. 64) in *Goodman et al. v. J.P. Morgan Investment Management, Inc., et al.*, Case No. 2:14-CV-00414 asserts claims against three defendants: J.P. Morgan Investment Management, Inc., JP Morgan Funds Management, Inc., and JPMorgan Chase Bank, N.A.

Case: 2:15-cv-02923-EAS-NMK Doc #: 47 Filed: 03/11/16 Page: 6 of 6 PAGEID #: 603

On February 26, 2016, the Court issued an Opinion and Order (ECF No. 55) in the

consolidated case, Campbell Family Trust et al. v. J.P. Morgan Investment Management, Inc., et

al., Case No. 2:15-CV-2923, dismissing similar claims against JP Morgan Chase Bank, N.A.

For the reasons set forth in that Opinion and Order, Plaintiffs' claims against Defendant

JPMorgan Chase Bank, N.A. in Plaintiffs' amended complaint in Case No. 2:14-CV-00414 (ECF

No. 64) are hereby dismissed.

IT IS SO ORDERED.

GREGORY L. FROST UNITED STATES DISTRICT JUDGE